



Upton Primary School
Positive Handling Policy

Written by: Assistant Headteacher

To be reviewed: Autumn 2024

Confirmation of policy

School: Upton Primary School

Date of review: Autumn 2023

Acting Head teacher (name): Mrs April Robinson

Acting Head teacher (signature):

Chair of Governors (name): Mrs Sloane Bartlett

Chair of Governors (signature):

Date policy ratified by Governing Body:

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Introduction

This policy is specifically linked to the school's Inclusion, SEN, Behaviour, Safeguarding & Child Protection and Health & Safety policies.

Physical Interventions including Restraint Section 93 of the Education and Inspections Act 2006 (which replaces section 550A of the DFES Circular 10/98) enables school staff to use such force as is reasonable in the circumstances to prevent a pupil from doing, or continuing to do, any of the following:

- a) Committing any offence (or, for a pupil under the age of criminal responsibility, what would be an offence for an older pupil)
- b) Causing personal injury to, or damage to the property of, any person including the pupil
- c) Prejudicing the maintenance of good order and discipline at the school or among any pupils receiving education at the school, whether during a teaching session or otherwise. The staff to which the power applies are defined in section 95 of the Act and can be found in the appropriate section below. Further documents related to this are:

- Guidance on the use of Restrictive Physical Intervention for staff working with Children and Adults who Display Extreme Behaviour in Association with Learning Disability and / or Autistic Spectrum Disorders - July 2002 Ref. LEA / 0242 / 2002
- DfE Circular 14 / 96 Supporting pupils with Medical Needs It is always unlawful to use force as a punishment. This is because it would fall within the definition of corporal punishment abolished by section 548 of the Education Act 1996.
- Use of Reasonable force- DfE:
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/444051/Use_of_reasonable_force_advice_Reviewed_July_2015.pdf
- [Behaviour in schools: advice for headteachers and school staff 2022.](#)

Physical Intervention should only be used as a last resort and other strategies to calm / defuse the situation should always be employed first. Reasonable force must not be used as a form of punishment.

Objectives

The main objective for the use of physical intervention strategies is to maintain the safety of pupils and staff. Only use reasonable force to prevent pupils from:

- Hurting themselves or others
- Committing an offence
- Damaging property
- Causing serious disruption to good order and discipline

All members of staff have the power to use reasonable force.

Offer staff training on how to approach the use of reasonable force. Extra caution is needed when using reasonable force on pupils with SEND, medical conditions, or other vulnerabilities.

Minimising the need to use force

Some of the following strategies should be used to prevent physical intervention strategies having to be used:

- Ensuring that the number of staff deployed, and their level of competence corresponds to the needs and developmental ages and stages of the pupils.
- Ensuring the Learning Environment is orderly and promotes high expectation of behaviour, and that it supports pupils in remaining emotionally well regulated.
- Helping the pupils to avoid situations which are known to provoke violent or aggressive behaviour.
- Creating opportunities for pupils to engage in meaningful activities which include opportunities for choice and a sense of achievement (in some cases this means a modified curriculum).
- Continuing to develop, support and train staff in working with pupils with challenging behaviours.
- Continuing to consult other professionals and parents about the best methods and strategies for intervention, de-escalation etc. If de-escalation strategies fail, there are two types of intervention, planned and unplanned.
- Planned intervention is when staff employ pre-arranged methods and strategies which they have been trained to carry out and are recorded in the behaviour management plan

- Unplanned intervention is used in emergency situations and in response to unforeseen events.

The response to an incident must always be reasonable, proportionate and

necessary. The scale and nature of any physical intervention must be appropriate to both the behaviour of the individual to be managed and the nature of the harm they may cause. These judgements have to be made at the time, taking account of all the circumstances. The minimum necessary force should be used, and techniques deployed should be those that the staff have been trained to use and recorded in written form when used. When a child's needs require regular management which includes Physical Intervention, a Personal Handling Plan and Individual Risk assessment should be completed and shared with parents.

Staff Authorised to use restraint

The DFE guidance states that *'ALL teachers and other school staff have a duty of care towards their pupils, and it might be argued that failing to take action (including a failure to use reasonable force) may in some circumstances breach that duty.'* All staff are therefore expected to make judgements which allow them to maintain order and to keep themselves and their pupils safe. This includes Positive Handling strategies.

However, as a school, we aim to provide staff members most likely to be dealing with challenging situations or behaviour additional training so that they feel confident in exercising their rights and duties.

Reasons for the use of Physical Intervention

Interventions rely on the members of staff to make a judgement based on their knowledge of the child and circumstances. The use of force is likely to be legally defensible when it is required to prevent;

- Self-harming
- Injury to other pupils or staff
- Damage to property
- An offence being committed
- Any behaviour prejudicial to the maintenance of good order and discipline within the school or among any of its pupils at Upton School.
- Sustained distress or trauma to the dysregulated student.

We interpret the last point in the following ways:

- Noise which renders others unable to concentrate. For example:
 - constant
 - high pitched
 - sudden yet prolonged screaming
 - deliberate use of noise to disrupt or end an activity
 - repetitive speech, phrases etc. used to annoy or targeted at a child/member of staff
 - tapping, drumming etc. constantly
- Lying on the floor which endangers themselves and others. For example:
 - Creating inappropriate model which others copy
 - Reducing staff numbers in order to observe
 - Detrimental to health and safety guidelines
 - In opposition to school rules, expectations and social acceptability
- Refusing to participate which provides an unacceptable model (pupils should be encouraged to participate through prompts, including physical, when appropriate)
- Throwing objects which may cause harm to, for example:
 - The object itself (damage to property)
 - The pupil, others and / or staff
 - Socially unacceptable
- Constant deliberate movement detrimental to the concentration of others. For example;
 - constant unnecessary rocking which suggests some self-control (as opposed to 'stimming or self-soothing behaviour)
 - head and / or hand movements -see point above
 - leg swinging which can turn into kicking
 constant unnecessary getting up and down (dependent on developmental level of child)

The use of positive handling strategies to restrict movement or mobility or to break away from dangerous or harmful physical contact initiated by a pupil will involve different levels of risk. Good practice must always be concerned with assessing and minimising risk to pupils, staff and others and pre-planning responses, where possible.

Examples of physical intervention that might generally be considered low risk include:

- Guiding and escorting a pupil
- Members of staff taking reasonable measures to hold a pupil to prevent him or her from hitting / kicking etc. someone else
- Accompanying a pupil who dislikes physical contact to a separate room where he / she can be alone for a few minutes while being continuously observed and supported

Elevated levels of risk are associated with:

- The use of clothing or belts to restrict movement (a handling belt is an accepted method to help pupil's mobility only)
- Holding a pupil who is lying on the floor or forcing them onto the floor
- Any procedure which restricts breathing or impedes the airways
- It is against the law to lock a pupil alone (where no adult is present) in a room or bar their exit, except by presenting a physical barrier, other than in an emergency or to ensure the safety of staff and/or other pupils
- Intentional extending or flexing the joints or putting pressure on the joints
- Extended and unnecessary pressure on the neck, chest, abdomen or groin areas (some pupils may need assistance placing them in wheelchairs / buggies)

The above elevated risks are not acceptable practice used at Upton School or endorsed via Team-Teach.

Using Force Prevention and De-escalation of behaviours, pupils with challenging behaviours should have consistent additional support programmes in place designed to modify and / or reduce or eliminate the behaviours and support the child to begin to self-manage their behaviours. Where these do not work, staff should constantly be risk assessing to further identify different strategies which will de-escalate the behaviour or de-fuse the situation.

These could include a range of distraction techniques;

- change of personnel working with the child,
- singing,
- music,
- favourite toy etc.
- change of activity

The strategies and techniques used will be individual to each child and situation, but they must be recorded as part of the additional support plan and should be shared with those who interact with the child.

Other Methods:

- Time Out involves restricting the pupil's access to all positive reinforcements as part of the behaviour management programme
- Withdrawal involves removing the pupil from a situation which causes anxiety or distress to a location where they can be continuously observed and supported until they are ready to resume their usual activities (for example the calming room- often referred to as 'The Pond' in The Pad)
- Pupil management (types of behaviour, strategies to employ to defuse the situation)
- Ways to keep parents / carers informed
- Ways to keep other staff informed
- Appropriate holds and any differences from the norm

Reasonable Force

It will always depend on all the circumstances of the situation:

- The degree of force used should be **the minimum needed to achieve the desired result**
- The seriousness of the incident
- The relative risks arising from using a physical intervention compared with other strategies
- The age, cultural background, gender, stature and medical history of the pupil
- The application of gradually increasing or decreasing levels of force in response to the pupil's behaviour

Staff Training

- All staff require induction training before being asked to work with pupils who present challenging behaviours.
- All staff are trained in Team-Teach as part of their induction to The Pad at Upton, as soon as the training becomes available. During this time, they are expected to be supported by their trained colleagues and they do not engage in restraint unless there is immediate risk to themselves, another child or the child who is exhibiting the challenging behaviour.

- Once trained, all staff are refreshed in Team-Teach positive handling techniques every 2 years.
- Any staff in the mainstream classes working closely with pupils who present with challenging behaviour are offered training by approved agencies.

Recording and Reporting Incidents

The use of restrictive physical intervention, whether planned (in an additional support plan) or unplanned, (emergency) should always be recorded in a bound and numbered book as quickly as possible: In any event within 24 hours of the incident.

- The members of staff involved to complete the appropriate recording sheet
- This to be filed in a book where the pages are numbered.
- The Assistant Headteacher with responsibility for Inclusion should always be informed.
- The parents / carers must always be informed by telephone, letter (home / school book) or face to face
- A copy of the report sent if requested.
- Any injuries should be recorded in accordance with school procedures and to the HSE when appropriate.
- Governors monitor incidents when physical intervention has been used through the Headteacher's report to Governors.
- A member of the staff team responsible for support staff working with them or the Inclusion leader countersigns each record and monitors the incidents to look for patterns over time.
- A Social story is read to/shared with/offered to the child to debrief after the event

First Aid Procedures

If an adult or a pupil is hurt as a result of intervention all usual procedures apply:

- Deal with injury or call first aider
- Call for help to cover remaining members of class while dealing with the aftermath of the incident
- Check with school nursing staff if available
- Inform Head Teacher
- Complete accident and incident forms
- Inform parents

- Offer post incident support to all concerned

Where possible the pupil should be able to discuss their perspective on the incident where appropriate. Staff should also be supported after being involved in an incident.

Risk Assessment

When the use of restrictive physical intervention is used, it is important that appropriate steps are taken to minimise the risks to both staff and pupils. Among the main risks to pupils and staff are that physical intervention could:

- Be used unnecessarily, that is when other less intrusive methods could achieve the desired outcome
- Cause injury, pain or distress
- Become a routine rather than exceptional methods of management
- Create distrust and undermine personal relationships

The main risks to staff include:

- Injury / distress / stress
- Disciplinary / legal action

However, the main risks of NOT intervening include:

- Staff may be in breach of the duty of care
- Pupils or staff may be injured
- Serious damage to property will occur
- Litigation (neglect)

Therefore, whenever it is foreseeable that a pupil may require a restrictive intervention, a risk assessment/positive handling plan should be carried out which identifies the benefits and risks associated with the application of different intervention techniques.

Complaints and Allegations

If a specific allegation of abuse is made against a member of staff the school would follow the guidance set out in "Safeguarding Children and Safer Recruitment in Education". Other complaints are dealt with under the school complaints procedure.

Physical contact with pupils in other circumstances

It is not illegal to touch a pupil. There are occasions when physical contact, other than reasonable force, with a pupil is proper and necessary. **We support and encourage the use of verbal support, guidance and models whenever possible.**

Examples of where touching a pupil might be proper or necessary:

- Holding the hand of the child at the front/back of the line when going to assembly or when walking together around the school (if the child is young or is working at much younger developmental level than his or her peers and this support is necessary);
- When comforting a distressed pupil;
- When a pupil is being congratulated or praised;
- To demonstrate how to use a musical instrument;
- To demonstrate exercises or techniques during PE lessons or sports coaching;
- and • To give first aid.

Occasionally a pupil may need comfort if upset but kissing is never appropriate. We actively discourage pupils from sitting on staff's laps and staff from offering this as a comfort, especially beyond Early Years. Staff must also be sensitive to those pupils who have tactile defensive or tactile seeking sensory behaviours when using safe touch to support a pupil. In any case, physical contact should decrease as the pupil grows older and in line with their development.

Reducing the number of Positive Handling incidents

Although non-statutory guidance, we strive to comply and follow guidance published in respect of reducing Positive handling incidents as described in the document: Reducing the Need for Restraint and Restrictive Intervention as set out in the document

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/812435/reducing-the-need-for-restraint-and-restrictive-intervention.pdf

To that effect we monitor, debrief and discuss each positive handling intervention with an aim to reduce the need for this intervention.

Monitoring and Review

This policy must form part of the induction procedures and must be shown to all new staff or cover staff working at The PAD or working closely with any child with challenging behaviour or

emotional regulation/significant sensory difficulties. Any amendments must be shared with all staff and the governing body. The policy should be reviewed annually.